

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST
LABORERS-EMPLOYERS HEALTH &
SECURITY TRUST et al,

Plaintiffs,

v.

KELLER NORTH AMERICA INC.,

Defendant.

CASE NO. 2:23-cv-01981-LK
ORDER TO SHOW CAUSE

This matter comes before the Court sua sponte. Plaintiffs filed their complaint in this case on December 22, 2023. Dkt. No. 1. They have not filed any documents since that time, and the 90-day time limit for service has expired. *See Fed. R. Civ. P. 4(m).*

Plaintiffs have a general duty to prosecute their claims, *see Fid. Phila. Tr. Co. v. Pioche Mines Consol., Inc.*, 587 F.2d 27, 29 (9th Cir. 1978), and they fail to fulfill this duty when they do not litigate their case, *see, e.g., Spesock v. U.S. Bank, NA*, No. C18-0092-JLR, 2018 WL 5825439, at *3 (W.D. Wash. Nov. 7, 2018). “[T]o prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts,” federal courts may exercise their

1 inherent power to dismiss a case sua sponte for failure to prosecute. *Link v. Wabash R. Co.*, 370
2 U.S. 626, 629–31 (1962); *see also* LCR 41(b)(1) (“Any case that has been pending in this court
3 for more than nine months without any proceeding of record having been taken may be dismissed
4 by the court on its own motion for lack of prosecution.”).

5 The Court therefore ORDERS Plaintiffs to show cause why this case should not be
6 dismissed for failure to prosecute within 14 days of this Order. Failure to timely respond will result
7 in dismissal without prejudice.

8 Dated this 1st day of October, 2024.

9 
10 Lauren King
11 United States District Judge